

Public Notice on a Proposed Environmental Cooperative Agreement Between the Wisconsin Department of Natural Resources and Cook Composites and Polymers Company Wisconsin

Pursuant to Section 299.80, Wis. Stats., the Department of Natural Resources (DNR) is proposing to issue and enter into an Environmental Cooperative Agreement with Cook Composites and Polymers Company, 340 Rail Road Street, Saukville, Wisconsin under the Environmental Cooperation Pilot Program.

The CCP facility located at 340 Rail Road Street, Saukville manufactures polyester and alkyd resins used in a variety of applications including the coatings, sanitary, automotive and marine industries (SIC 2821). The facility, located approximately 25 miles north of Milwaukee, began resin production in 1949 and employs approximately 75 full-time staff in Wisconsin.

Cook Composites and Polymers volunteered to help Wisconsin DNR pilot new approaches to environmental regulation through the Environmental Cooperation Pilot Program. The Agreement contains the language that determines how DNR and Cook Composites and Polymers Company will carry out the goals of the Environmental Cooperation Pilot Program. Public comments on the proposed Agreement are welcome.

Summary of the proposed Environmental Cooperative Agreement

This Environmental Cooperative Agreement provides the structural framework for Cook Composites and Polymers Co. (CCP) and Wisconsin Department of Natural Resources (DNR) to reprioritize and focus their resources to evaluate the feasibility and desirability of a waste minimization project to eliminate generation of five million pounds of a characteristic hazardous waste and the need for a hazardous waste incinerator. Specifically CCP commits to cease burning hazardous waste in its incinerator by September 30, 2001. The agreement provides a clear timeline and regulatory path for CCP to implement their hazardous waste minimization project and make the transition from an incinerator that burns hazardous wastes to a facility that does not. As part of this agreement, CCP also commits to establish an environmental management system, and seek other opportunities for waste minimization, pollution prevention, product stewardship and other environmental benefits at CCP's Saukville, Wisconsin facility in cooperation with its neighbors, its customers, the local community and DNR. The complete proposal is available at <http://www.dnr.state.wi.us/org/caer/cea/ecpp/>.

About the Environmental Cooperation Pilot Program

The Environmental Cooperation Pilot Program (Program) was introduced by Governor Thompson and passed by the State Legislature as part of the 1997 – 1999 Biennial Budget. It is designed to evaluate innovative environmental regulatory methods including whole-facility regulation. It encourages the use of systematic assessments of environmental impacts from this facility, and is designed to focus on reducing pollution in an efficient and cost effective manner. The Program provides increased flexibility for pilot facilities that not only maintain existing levels of environmental protection, but also go beyond and provide superior environmental performance. Furthermore, the Program encourages substantial public participation by those affected by the activities at the facility.

Opportunity for public to comment

There is a 30-day public comment period associated with the proposed Environmental Cooperative Agreement, which will end 30 days from the date of publication of this notice in the Wisconsin State Journal. During the 30-day public comment period, DNR will accept written comments from the public regarding its proposed Environmental Cooperative Agreement with Cook Composites and Polymers. These comments will be considered before a final decision is made on the agreement. Submit comments on the proposed actions by US Mail, fax or e-mail to Lynn Persson, the DNR project manager.

Notice of Public Informational Meeting

NOTICE IS HEARBY GIVEN that DNR will conduct a public informational meeting on the proposed Cooperative Agreement as provided for in s 299.80(8)(e) Wis. Stats. During the meeting DNR will provide information about the proposed environmental cooperative agreement and provide an opportunity for questions and formal public comment. The meeting will be held: Thursday, March 22 at 3:00 p.m., The Community Room, Municipal Center, Village of Saukville, 639 E. Green Bay Ave. Wisconsin.

How DNR will make a final decision on the proposed action.

In making a final decision on the proposed action, DNR will insure that the applicant has complied with all of the requirements in s. 299.80(6)(d), Wis. Stats. DNR will also review and consider all public comments received within the 30-day public comment period and at the public meeting. In consultation with the project manager and other staff, the DNR Secretary will decide whether or not to sign and implement the Environmental Cooperative Agreement.

The decision by the Department to enter into an agreement is not subject to review under ch. 227, Wis. Stats. The agreement itself, once issued, is subject to review under ch. 227, Wis. Stats. To request a contested case hearing pursuant to s. 227.42, Wis. Stats., a person has 30 days after the agreement is issued to serve a petition for hearing upon the Secretary of the DNR. A request for contested case hearing should be made in accordance with s. NR 2.05(5), Wis. Adm. Code. The filing of a request for contested case hearing is not a prerequisite for judicial review under ch. 227, Wis. Stats., and does not extend the time limits for filing a petition for judicial review.

For additional information about the proposed agreement, please contact one of the following:

- Department of Natural Resources, Lynn Persson, Project Manager, 101 S. Webster St., PO Box 7921, Madison, WI 53707-7921, Email: perssl@dnr.state.wi.us, (608) 267-3763 or Fax (608) 267-0496
- Cook Composites & Polymers Co., Michael Gromacki, Environmental Mgt., P.O. Box 419389, 820 East 14th Avenue, North Kansas City, MO 64116 Email: Gromacki@CCPonline.com, (816) 391-6011 or Fax (816) 391-6093 P.O. Box 419389
- Cook Composites and Polymers Co., Michael Lotman, Plant Manager, 340 Rail Road Street, Saukville, WI 53080 (262) 284-0555 or Fax (262) 284-0593

Additional information available

Copies of this Cooperative Agreement and a fact sheet describing the Agreement can be accessed via the Internet at: <http://www.dnr.state.wi.us/org/caer/cea/ecpp> or by contacting the DNR project manager, listed above.

Reasonable requests for the information in an alternate format will be provided to qualified individuals with disabilities.

02/22/2003

Dated February 22, 2001

/s/ Mark McDermid

For the Secretary by Mark McDermid, Director,
Bureau of Cooperative Environmental Assistance